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KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

In re Application of
Alexandre Marti et al
Serial No.: 09/673,871
Filed: April 22, 1999
Attorney Docket No.: 12839-1

: PETITION DECISION

This is in response to the petition under 37 CFR 1.181, filed March 22, 2004, for acceptance of a timely filed reply. The delay in acting on this petition is regretted.

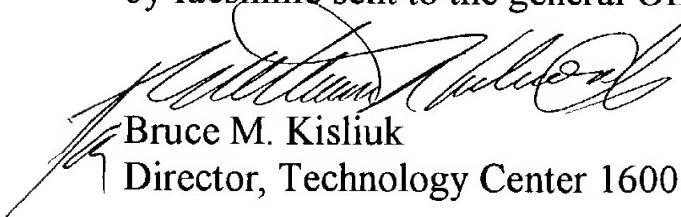
A review of the file history shows that the examiner mailed an Office action to applicants previous attorneys on July 25, 2003, setting a three month shortened statutory period for reply. Applicants engaged new attorneys in October, 2003, who replied to the Office action on January 26, 2004, (January 25, 2004, being a Sunday) including a request for a three month extension of time and fee therefore. Inadvertently the last two digits of the Serial No. were transposed and the papers were not correlated with the above application identified application. The error was discovered in March, 2004, whereupon applicants refiled the papers and this petition in view of the potential abandonment of the application. A Notice of Abandonment was never mailed in this application in view of the submission. The reply with the correct Serial No. has now been correlated with the file. In view of the timely reply no abandonment in fact occurred.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action.

No fee is due for this petition and the petition fee paid of \$130.00 will be credited to applicants' Deposit Account No. 11-0600.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 703-308-3824 or by facsimile sent to the general Office facsimile number.


Bruce M. Kisliuk
Director, Technology Center 1600